

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AHMED HUSSAIN MEMON,

File No. 075 823 321,

Plaintiff,

V.

MICHAEL MUKASEY, U.S. Attorney General,

Department of Homeland Security;

EMILIO T. GONZALES, Director of

U.S. Citizenship & Immigration Services,

Defendants.

CASE NO. 08 C 1470

JUDGE KENDALL

MAGISTRATE COX

INITIAL STATUS REPORT

NOW COMES the Plaintiff, AHMED HUSSAIN MEMON, by and through his attorney, BONITA B. HWANG CHO, LAW OFFICES OF CHENG, CHO, & YEE, P.C., and submits the following status report:

1. The attorney of record for plaintiff expected to try the case will be Bonita B. Hwang Cho. To date, no attorney has been assigned to represent the government.
2. The basis for federal jurisdiction is 28 U.S.C. §1361 permits a writ of mandamus to be filed to compel an officer of a U.S. agency to perform his/her duty.
3. The nature of the claim asserted in the complaint is that Defendant has failed to perform a purely ministerial duty in that they have not adjudicated Plaintiff's naturalization application which was filed almost 4 years ago.
4. All parties have been served.
5. The principal legal issues is that the government failed to perform its duty. 28 U.S.C. §1361 permits a writ of mandamus to be filed to compel an officer of a U.S. agency to perform his/her duty.
6. Plaintiff states that there are no factual issues.
7. Plaintiff has not requested a jury trial.

8. Plaintiff has not undertaken any discovery. Additionally, Plaintiff believes that this matter will be resolved without undertaking discovery.

9. Plaintiff states that without being able to confer with opposing counsel as one has not been designated, Plaintiff cannot provide information on the earliest date the parties will be ready for trial and the length of the trial nor the length of the trial.

10. Plaintiff states that without being able to confer with opposing counsel as one has not been assigned, Plaintiff cannot inform the court if the parties unanimously consent to proceed before the Magistrate Judge.

11. No settlement discussion has been held yet as opposing counsel has not been designated.

Respectfully submitted,
AHMED HUSSAIN MEMON

By: s/ Bonita B. Hwang Cho
One of his attorneys

Bonita B. Hwang Cho
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CERTIFICATE OF SERVICE

I, Bonita B. Hwang Cho, the attorney, hereby certify that on the 8 day of May, 2008, a INITIAL STATUS REPORT FOR CASES NEWLY FILED was served to:

Patrick J. Fitzgerald
U.S. Attorney
Northern District of Illinois
219 South Dearborn, Suite 5000
Chicago, IL 60604

s/Bonita B. Hwang Cho

Attorney for Plaintiff
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